

Remarks

After careful consideration of the outstanding Office Action, this application has been amended accordingly, and favorable reconsideration on the merits thereof is at this time respectfully requested.

The only issue presented in the Office Action is the requirement that Applicant "elect a single disclosed species for prosecution on the merits." Four species were identified by the Examiner.

The undersigned, on behalf of Applicant, herewith elects Species I of Figures 1-4 for prosecution on the merits. The election is made with traverse for reasons to be discussed immediately hereinafter.

The generic claims are claims 1 through 3 and 30 through 34. The claims which read upon the elected species are claims 4 through 9, 12, 15 through 29, 39, 44 and 50 through 52.

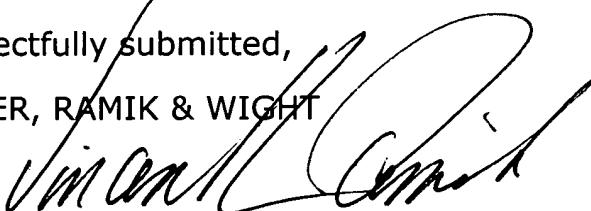
As was noted earlier herein, the election of species requirement is traversed because the Examiner has provided absolutely no basis for the conclusion that the species are "patentably distinct." It appears the Examiner has merely reviewed the drawings and concluded, absent support or reasoning, that there are the four patentably distinct species of record providing no reason whatsoever as to why each species is allegedly "patentably distinct" from the others. Until such reasons are provided, the requirement is obviously completely erroneous. The undersigned is placed in a position of electing a species without having any idea whatsoever as to why the Examiner considers one species to be patentably distinct from the others.

The undersigned recognizes the possibility of two patentably distinct species, namely, the species of Figures 1 through 8 and 13 through 16 on the one hand and Figures 9 through 12 on the other. The latter two species clearly

evidence illumination of the edge portion of the glass shelf by light directed substantially through a free terminal edge thereof, as opposed to outboard edge-lighting or indirect lighting, as in Figures 9 through 12. The latter two species are clearly "patentably distinct," but the undersigned has no appreciation of what the Examiner feels is patentably distinct between the species of Figures 1 through 4, 5 through 8 and 13 through 16. Accordingly, until such time as the Examiner specifically identifies that structure which renders the species "patentably distinct," the traversal herein made is considered to be in order. Pursuant thereto, upon reconsideration of the election of species requirement, the Examiner is requested to join as one species Figures 1 through 4, 5 through 8 and 13 through 16 and examine all claims directed thereto. Upon so proceeding, the only claims **excluded** from examination would be claims 10, 11, 13, 14, 35 through 38, 40 through 43, 53 and 54. Accordingly, absent the allowance of a generic claim, examination of all of the claims of record, excluding the group latter-mentioned is herewith respectfully requested.

Respectfully submitted,
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